

~~THOMAS MAHON~~

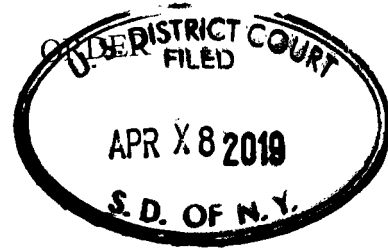
THOMAS MAHON

19 MISC 178

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: Application for Exemption from  
Electronic Public Access Fees by  
The Focus Forward Project, Inc.

Standing Order: M10-468



PACER FEE EXEMPTION ORDER

This matter is before the court upon the application and request by Joel Putnam, Interim Director, on behalf of the Focus Forward Project (the "Applicant"), for exemption from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts.

The Court finds, based upon the Application for Multi-Court Exemption from the Judicial Conference's Electronic Public Access (EPA) Fees dated April 2, 2019 describing the proposed use, the Applicant has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, the Applicant shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in connection with the project described in the attached application. The Applicant shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court. Additionally, the following limitations apply:

1. This fee exemption applies only to the Applicant and is valid only for the purposes stated above.

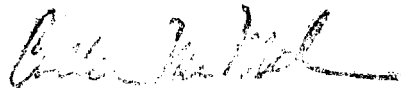
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, the Applicant agrees not to sell for profit any data obtained as a result of receiving this exemption,
4. The Applicant is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet-based databases.
5. This exemption is valid from the date of this order until further order of the Court.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: New York, New York

April 8, 2019

SO ORDERED:

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

Colleen McMahon, Chief Judge  
United States District Court  
Southern District of New York

## Application for Multi-Court Exemption from the Judicial Conference's Electronic Public Access (EPA) Fees

1.) I am requesting an exemption from fees for public access to electronic case records for the courts selected below:

### Courts of Appeal

- |   |   |
|---|---|
| <input type="checkbox"/> All Courts of Appeal | <input type="checkbox"/> Seventh Circuit  |
| <input type="checkbox"/> First Circuit        | <input type="checkbox"/> Eighth Circuit   |
| <input type="checkbox"/> Second Circuit       | <input type="checkbox"/> Ninth Circuit    |
| <input type="checkbox"/> Third Circuit        | <input type="checkbox"/> Tenth Circuit    |
| <input type="checkbox"/> Fourth Circuit       | <input type="checkbox"/> Eleventh Circuit |
| <input type="checkbox"/> Fifth Circuit        | <input type="checkbox"/> D.C. Circuit     |
| <input type="checkbox"/> Sixth Circuit        | <input type="checkbox"/> Federal Circuit  |

### Bankruptcy Appellate Panels (BAP)

- |   |
|---|
| <input type="checkbox"/> First Circuit - BAP  |
| <input type="checkbox"/> Sixth Circuit - BAP  |
| <input type="checkbox"/> Eighth Circuit - BAP |
| <input type="checkbox"/> Ninth Circuit - BAP  |
| <input type="checkbox"/> Tenth Circuit - BAP  |

### District Courts

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> All District Courts  |   |   |   |
| <input type="checkbox"/> Alabama Middle       | <input type="checkbox"/> Illinois Northern    | <input type="checkbox"/> Nebraska                     | <input type="checkbox"/> Rhode Island           |
| <input type="checkbox"/> Alabama Northern     | <input type="checkbox"/> Illinois Central     | <input type="checkbox"/> Nevada                       | <input type="checkbox"/> South Carolina         |
| <input type="checkbox"/> Alabama Southern     | <input type="checkbox"/> Illinois Southern    | <input type="checkbox"/> New Hampshire                | <input type="checkbox"/> South Dakota           |
| <input type="checkbox"/> Alaska               | <input type="checkbox"/> Indiana Northern     | <input type="checkbox"/> New Jersey                   | <input type="checkbox"/> Tennessee Eastern      |
| <input type="checkbox"/> Arizona              | <input type="checkbox"/> Indiana Southern     | <input type="checkbox"/> New Mexico                   | <input type="checkbox"/> Tennessee Middle       |
| <input type="checkbox"/> Arkansas Eastern     | <input type="checkbox"/> Iowa Northern        | <input type="checkbox"/> New York Eastern             | <input type="checkbox"/> Tennessee Western      |
| <input type="checkbox"/> Arkansas Western     | <input type="checkbox"/> Iowa Southern        | <input type="checkbox"/> New York Northern            | <input type="checkbox"/> Texas Eastern          |
| <input type="checkbox"/> California Central   | <input type="checkbox"/> Kansas               | <input checked="" type="checkbox"/> New York Southern | <input type="checkbox"/> Texas Northern         |
| <input type="checkbox"/> California Eastern   | <input type="checkbox"/> Kentucky Eastern     | <input type="checkbox"/> New York Western             | <input type="checkbox"/> Texas Southern         |
| <input type="checkbox"/> California Northern  | <input type="checkbox"/> Kentucky Western     | <input type="checkbox"/> North Carolina Eastern       | <input type="checkbox"/> Texas Western          |
| <input type="checkbox"/> California Southern  | <input type="checkbox"/> Louisiana Eastern    | <input type="checkbox"/> North Carolina Middle        | <input type="checkbox"/> Utah                   |
| <input type="checkbox"/> Colorado             | <input type="checkbox"/> Louisiana Middle     | <input type="checkbox"/> North Carolina Western       | <input type="checkbox"/> Vermont                |
| <input type="checkbox"/> Connecticut          | <input type="checkbox"/> Louisiana Western    | <input type="checkbox"/> North Dakota                 | <input type="checkbox"/> Virgin Islands         |
| <input type="checkbox"/> Delaware             | <input type="checkbox"/> Maine                | <input type="checkbox"/> Northern Mariana Islands     | <input type="checkbox"/> Virginia Eastern       |
| <input type="checkbox"/> District of Columbia | <input type="checkbox"/> Maryland             | <input type="checkbox"/> Ohio Northern                | <input type="checkbox"/> Virginia Western       |
| <input type="checkbox"/> Florida Middle       | <input type="checkbox"/> Massachusetts        | <input type="checkbox"/> Ohio Southern                | <input type="checkbox"/> Washington Eastern     |
| <input type="checkbox"/> Florida Northern     | <input type="checkbox"/> Michigan Eastern     | <input type="checkbox"/> Oklahoma Eastern             | <input type="checkbox"/> Washington Western     |
| <input type="checkbox"/> Florida Southern     | <input type="checkbox"/> Michigan Western     | <input type="checkbox"/> Oklahoma Northern            | <input type="checkbox"/> West Virginia Northern |
| <input type="checkbox"/> Georgia Northern     | <input type="checkbox"/> Minnesota            | <input type="checkbox"/> Oklahoma Western             | <input type="checkbox"/> West Virginia Southern |
| <input type="checkbox"/> Georgia Middle       | <input type="checkbox"/> Mississippi Northern | <input type="checkbox"/> Oregon                       | <input type="checkbox"/> Wisconsin Eastern      |
| <input type="checkbox"/> Georgia Southern     | <input type="checkbox"/> Mississippi Southern | <input type="checkbox"/> Pennsylvania Eastern         | <input type="checkbox"/> Wisconsin Western      |
| <input type="checkbox"/> Guam                 | <input type="checkbox"/> Missouri Eastern     | <input type="checkbox"/> Pennsylvania Middle          | <input type="checkbox"/> Wyoming                |
| <input type="checkbox"/> Hawaii               | <input type="checkbox"/> Missouri Western     | <input type="checkbox"/> Pennsylvania Western         |   |
| <input type="checkbox"/> Idaho                | <input type="checkbox"/> Montana              | <input type="checkbox"/> Puerto Rico                  |   |

## Bankruptcy Courts

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> All Bankruptcy Courts |   |   |   |
| <input type="checkbox"/> Alabama Middle        | <input type="checkbox"/> Illinois Northern    | <input type="checkbox"/> Nebraska                 | <input type="checkbox"/> Rhode Island           |
| <input type="checkbox"/> Alabama Northern      | <input type="checkbox"/> Illinois Central     | <input type="checkbox"/> Nevada                   | <input type="checkbox"/> South Carolina         |
| <input type="checkbox"/> Alabama Southern      | <input type="checkbox"/> Illinois Southern    | <input type="checkbox"/> New Hampshire            | <input type="checkbox"/> South Dakota           |
| <input type="checkbox"/> Alaska                | <input type="checkbox"/> Indiana Northern     | <input type="checkbox"/> New Jersey               | <input type="checkbox"/> Tennessee Eastern      |
| <input type="checkbox"/> Arizona               | <input type="checkbox"/> Indiana Southern     | <input type="checkbox"/> New Mexico               | <input type="checkbox"/> Tennessee Middle       |
| <input type="checkbox"/> Arkansas Eastern      | <input type="checkbox"/> Iowa Northern        | <input type="checkbox"/> New York Eastern         | <input type="checkbox"/> Tennessee Western      |
| <input type="checkbox"/> Arkansas Western      | <input type="checkbox"/> Iowa Southern        | <input type="checkbox"/> New York Northern        | <input type="checkbox"/> Texas Eastern          |
| <input type="checkbox"/> California Central    | <input type="checkbox"/> Kansas               | <input type="checkbox"/> New York Southern        | <input type="checkbox"/> Texas Northern         |
| <input type="checkbox"/> California Eastern    | <input type="checkbox"/> Kentucky Eastern     | <input type="checkbox"/> New York Western         | <input type="checkbox"/> Texas Southern         |
| <input type="checkbox"/> California Northern   | <input type="checkbox"/> Kentucky Western     | <input type="checkbox"/> North Carolina Eastern   | <input type="checkbox"/> Texas Western          |
| <input type="checkbox"/> California Southern   | <input type="checkbox"/> Louisiana Eastern    | <input type="checkbox"/> North Carolina Middle    | <input type="checkbox"/> Utah                   |
| <input type="checkbox"/> Colorado              | <input type="checkbox"/> Louisiana Middle     | <input type="checkbox"/> North Carolina Western   | <input type="checkbox"/> Vermont                |
| <input type="checkbox"/> Connecticut           | <input type="checkbox"/> Louisiana Western    | <input type="checkbox"/> North Dakota             | <input type="checkbox"/> Virgin Islands         |
| <input type="checkbox"/> Delaware              | <input type="checkbox"/> Maine                | <input type="checkbox"/> Northern Mariana Islands | <input type="checkbox"/> Virginia Eastern       |
| <input type="checkbox"/> District of Columbia  | <input type="checkbox"/> Maryland             | <input type="checkbox"/> Ohio Northern            | <input type="checkbox"/> Virginia Western       |
| <input type="checkbox"/> Florida Middle        | <input type="checkbox"/> Massachusetts        | <input type="checkbox"/> Ohio Southern            | <input type="checkbox"/> Washington Eastern     |
| <input type="checkbox"/> Florida Northern      | <input type="checkbox"/> Michigan Eastern     | <input type="checkbox"/> Oklahoma Eastern         | <input type="checkbox"/> Washington Western     |
| <input type="checkbox"/> Florida Southern      | <input type="checkbox"/> Michigan Western     | <input type="checkbox"/> Oklahoma Northern        | <input type="checkbox"/> West Virginia Northern |
| <input type="checkbox"/> Georgia Northern      | <input type="checkbox"/> Minnesota            | <input type="checkbox"/> Oklahoma Western         | <input type="checkbox"/> West Virginia Southern |
| <input type="checkbox"/> Georgia Middle        | <input type="checkbox"/> Mississippi Northern | <input type="checkbox"/> Oregon                   | <input type="checkbox"/> Wisconsin Eastern      |
| <input type="checkbox"/> Georgia Southern      | <input type="checkbox"/> Mississippi Southern | <input type="checkbox"/> Pennsylvania Eastern     | <input type="checkbox"/> Wisconsin Western      |
| <input type="checkbox"/> Guam                  | <input type="checkbox"/> Missouri Eastern     | <input type="checkbox"/> Pennsylvania Middle      | <input type="checkbox"/> Wyoming                |
| <input type="checkbox"/> Hawaii                | <input type="checkbox"/> Missouri Western     | <input type="checkbox"/> Pennsylvania Western     |   |
| <input type="checkbox"/> Idaho                 | <input type="checkbox"/> Montana              | <input type="checkbox"/> Puerto Rico              |   |

## National Courts

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Judicial Panel on<br>Multidistrict Litigation | <input type="checkbox"/> U.S. Court of<br>Federal Claims | <input type="checkbox"/> U.S. Court of<br>International Trade |
|--|--|---|

2.) I am an individual associated with The Focus Forward Project, Inc.

3.) Please summarize why the case information from the Public Access to Court Electronic Records (PACER) service is needed and how it will be used. Also, please explain why an exemption from the courts identified is necessary. If you need more space, please provide in an attachment.

We have a fee exemption for this district that will expire on June 30, 2019. We would like to renew that exemption for as long a period as is reasonable. As background, the Focus Forward Project, Inc. is a registered 501(c)3 nonprofit in the state of New York that organizes and operates courses for federal criminal defendants. We track judicial outcomes of cases of all of our clients both so that we can continue to offer relevant anti-recidivism services for participants convicted of a crime after they graduate and to measure the effectiveness of our programs over time (insights we plan to share with other nonprofits and the public). We have served over 400 participants since 2012. As a nonprofit supported by small, individual donations, thanks to our exemption, we're able to redirect funds that would have been spent on PACER access to provide further services to those in need and additional data-driven lessons for the public good.

4.) In support of this application, I affirm the following:

- a) An exemption from the Judicial Conference's EPA Fee is necessary in order to avoid unreasonable burdens and to promote public access to information.
- b) That the exemption will be for a definitive period of time: 3 Years (with the intention to renew)
- c) I understand that this fee exemption will apply only to me, will be valid only for the purposes stated above, and will apply only to the electronic case files of the court(s) indicated above that are available through the PACER service.
- d) I agree that any data received through this exemption will not be sold for profit, will not be transferred, will not be used for commercial purposes, and will not be redistributed via the Internet.

**Declaration:** I declare that all the above information is true and understand that a false statement

- ☒ may result in termination of my exempt access and an assessment of Electronic Public Access usage fees. (The box must be marked or your request will not be considered)

Joel Putnam

Applicant's Printed Name

Interim Director

Applicant's Title



Applicant's Signature

(347) 619-2080

Applicant's Phone Number

joelputnam@focusforwardproject.org

Applicant's email address

PO Box 2892 c/o Focus Forward Project

Applicant's Mailing Address

New York

City

NY

State

10008

Zip Code

4/2/2019

Date

Please submit your completed, signed request via email to Multi-CourtExemptions@ao.uscourts.gov or by mail to:

Attention: Multi-Court Exemptions  
Court Programs Division  
DPS-CSO-PRGD  
One Columbus Circle, N.E.  
Washington, DC 20544

**\*\* Requests sent through the US mail may take up to two weeks to clear security.\*\***



P.O. Box 2892, Church St. Station, New York, NY 10008-2892 | Tel: (347) 619-2080 | [info@focusforwardproject.org](mailto:info@focusforwardproject.org)

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Joel Putnam  
*Interim Director*

April 2, 2019

**BOARD OF  
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Deirdre von Dornum

Jose Maldonado

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Ruby J. Krajick  
Clerk of Court  
United States District Court  
Southern District of New York  
500 Pearl St, New York, NY 10007


Dear Ms. Krajick,

I hope this reaches you well. I'm writing to request a renewal of our organization's PACER Fee exemption for the Southern District of New York. We currently have an exemption that is set to expire June 30, 2019. We would like to renew that exemption for as many years as might be considered appropriate by the court.

I called your office and was instructed to include the information I included when we originally applied for our exemption via a Multi-Court exemption request. Accordingly, I'm enclosing an updated version of that application. If you have any questions or need any of this information in a different format, or addressed to anyone else, please feel free to contact me by phone or email.

Thank you very much for your time and consideration.

Sincerely,

  
Joel Putnam  
Interim Director  
The Focus Forward Project  
PO Box 2892  
New York, NY 10008

(347) 619-2080  
[joelputnam@focusforwardproject.org](mailto:joelputnam@focusforwardproject.org)